

## REMARKS/ARGUMENTS

### **Claim Amendments**

The Applicant has amended claims 1, 8, 14 and 17. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-10 and 14-19 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

### **Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 1, 8, 14 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 7,146,167 (Tanabe) in view of US Patent Application Publication No. 2003/0108027 (Kim et al). The Applicant respectfully traverses the rejection of these claims.

In existing UMTS systems a reconfiguration process is allowed to engage a next configuration state at a selected future time. A synchronization time counter is maintained in the communication elements, indicating time codes for synchronizing configuration changes and further time-dependent functions. However, current state of the art requires that after the involved communication elements have been informed about the reconfiguration process, further configuration changes, which relate to communication elements in the system that are not aware of the reconfiguration process, have to be postponed until after the selected future time.

The present invention discloses allowing further changes during a reconfiguration process (page 6, first paragraph) to correct this problem. When communication elements are to be newly involved in a radio link configuration, they need to be made aware of a prepared reconfiguration, and the time until actual activation of the new configuration. The period between transmission of the reconfiguration commit message (see e. g. message 46 in Fig. 4) and a future selected time (traditionally named blocking period) is considered to be a prepared reconfiguration period. The starting time is the transmission time of a reconfiguration preparation command and the ending time is the completion of the reconfiguration procedure at the selected Connection Frame number, or CFN=x. First the prepared reconfiguration period is determined, which starts at a

transmission time code of the reconfiguration command, and ends at the future selected time. Secondly, for any further change command for changing the configuration, a prepared reconfiguration period indicator is added to the change command. The information for setting the prepared reconfiguration, e. g. compressed mode parameters, can also be added to the change command.

For example, Figure 6 shows messages including a prepared reconfiguration period indicator. The Detailed Description (page 16 , line 29 – page 17, line 14) indicates that compressed mode should start at CFN = 55. If, before CFN = 55 a new (2nd) radio link is to be setup, then the RNC composes a message comprising the time (time code) (CFN = 5) when the first message was sent and the time compressed mode should start for this new link (CFN = 55). In other words, add to the elementary procedures radio link setup and radio link addition when CFN has not yet passed, the time when the message activate/deactivate compressed mode is sent.

Tanabe discloses a non-instantaneous-disruption hard handover control device ... comprising a CFN (Connection Frame Number) message generation block (11) for generating a CFN (Tanabe, column 11, line 12). Kim discloses an apparatus for minimizing an HSDPA non-transmittable period, due to a transmission gap in a process of performing a compressed mode in an HSDPA (see Kim, page 10, par.0086).

Tanabe fails to disclose a synchronization counter that indicates time codes for synchronizing functions across the communication system. The Kim reference is cited as providing the synchronization counter. The Applicant has reviewed the cited portion [0015] of the Kim reference and respectfully disagrees with the Examiner's interpretation of the relevant portion of Kim. Kim discloses a Transmission Gap Pattern Repetition Counter (TGRPC) that counts the repetition of patterns of transmission gaps, and not time codes which the Applicant's synchronization counter determines.

The Applicant respectfully submits that the Tanabe reference and the Kim reference, whether individually or in combination, do not disclose at least the element of a synchronization counter indicating time codes and the references also do not disclose adding a reconfiguration period indicator to a change command. Furthermore, the prior art fails to disclose the added element (page 16, lines 6-14) regarding the second

change command. This being the case, the Applicant respectfully requests the allowance of the independent claim 1 and analogous claims 8, 14 and 17.

Claims 4-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 7,146,167 (Tanabe) in view of US Patent Application Publication No. 2003/0108027 (Kim et al) and further in view of US Patent No. 6,892,071 (Park, et al). The Applicant respectfully traverses the rejection of these claims.

Park is cited for teaching a prepared reconfiguration period as in the Applicant's claims. The portion referred to in the Park reference teaches a link change command for adding a radio link. As noted above, the elements noted as being absent from the Tanabe and Kim references is also lacking in the Park reference. As amended the independent claims recite the reconfiguration period being included in a change command and the use of a second change command to inform new communication elements of the status of reconfiguration. At least these particular elements are missing from all the cited references. This being the case, the Applicant respectfully requests the allowance of claims 4-7.

Claims 9, 10, 15, 16, 18 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 7,146,167 (Tanabe) in view of US Patent Application Publication No. 2003/0108027 (Kim et al) and further in view of US Patent No. 7,020,108 (Virtanen). The Applicant respectfully traverses the rejection of these claims.

Virtanen is cited for teaching a future selected time code has not yet passed. Virtanen teaches transmission gap patterns and the time periods involved with the gap patterns. The Applicant respectfully asserts that the gap patterns are not the same as time codes. Time codes are defined by the Applicant as CFN (configuration frame numbers, page 13, lines 21-24). Further, as noted above, the element regarding the prepared reconfiguration period, as claimed, is not disclosed in the Tanabe, Kim and Park references and the Applicant respectfully submits that adding the prepared configuration period is also lacking in the Virtanen reference. Additionally, none of the references disclose use of the second change command to notify other elements. This

being the case the Applicant respectfully requests the allowance of claims 9, 10, 15, 16, 18 and 19.

**Prior Art Not Relied Upon**

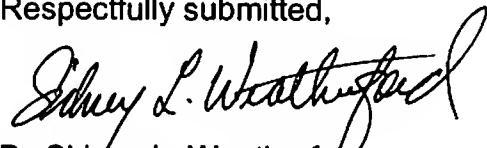
In paragraph 10 on page 7 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

**CONCLUSION**

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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